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**PATENT**  
Attorney Docket No.: 018158-024000US  
Client Ref. No.: VX-1204

TOWNSEND and TOWNSEND and CREW LLP

By:   
Jose R. Lopez, Jr.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

CHERNYAK, Dimitri

Application No.: 10/849,573

Filed: May 18, 2004

For: BINOCULAR OPTICAL  
TREATMENT FOR PRESBYOPIA

Customer No.: 20350

Confirmation No. 6344

Examiner: SHAY, David M.

Technology Center/Art Unit: 3769

AMENDMENT

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated October 31, 2008 and the Advisory Action dated January 15, 2009 on the above-referenced application, please enter the following amendments and remarks, along with the accompanying request for continued examination (RCE):

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.